



PLEASE TAKE NOTICE that, pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure, Lieff, Cabraser, Heimann & Bernstein, LLP (“Lieff Cabraser”) hereby enters its appearance as counsel in the above-captioned cases and adversary proceeding for members of the certified Class in *Austin, et al. v. Chisick, et al.*, Case No. SA CV 01-0971 DOC (“*Austin v. Chisick*”), pending in the United States District Court for the Central District of California before the Honorable David O. Carter. Lieff Cabraser requests that all notices given or required to be given in the above-captioned actions, and all papers served or required to be served in the above-captioned actions, be given and served upon Lieff Cabraser as specified below, and that Lieff Cabraser be added to the mailing matrix on file with the Clerk of the Bankruptcy Court as follows:

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The foregoing request includes the notices and papers referred to in Bankruptcy Rule 2002 as well as, without limitation, orders and notices of any applications, motions, petitions, pleadings, complaints, demands, disclosure statements, or plans of reorganization transmitted or conveyed by mail, hand delivery, telephone, facsimile, e-mail, or otherwise, that affect or seek to affect in any way the Defendant or Debtors in the above-captioned actions, the property of the Defendant or Debtors, or the *Austin v. Chisick* Class members.

Neither this Notice of Appearance and Request for Service of Papers nor any later appearance, pleading, proof of claim, claim, or suit shall constitute a waiver of any of the substantive or procedural rights of the *Austin v. Chisick* Class members, including (i) the right to

have final orders in non-core matters entered only after *de novo* review by a District Judge; (ii) the right to trial by jury in any case, controversy, or proceeding related to the above-captioned actions; (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; (iv) any objection to the jurisdiction of this Bankruptcy Court for any purpose other than with respect to this Notice; (v) an election of remedy; (vi) any other rights, claims, actions, defenses, setoffs, or recoupments as appropriate, in law or in equity, under any agreements, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: New York, New York  
October 15, 2008

Respectfully submitted,

By: /s/ Steven E. Fineman  
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